

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

---

COLLETTE DAVIS, et al.,  
Plaintiffs,

v.

ABINGTON MEMORIAL HOSPITAL, et al.,  
Defendants.

---

:  
:  
:  
:  
:  
:  
:  
:  
:

CIVIL NO. 09-cv-5520

**ORDER**

**AND NOW**, this 8th day of September 2011, upon consideration of this Court's attached Memorandum Opinion and Order, and for the reasons stated therein and hereby incorporated, it is hereby **ORDERED**:

- 1) Defendants' Motion to Dismiss is **GRANTED** [doc. no. 132]; and
- 2) In view of the dismissal, the following motions are **DENIED AS MOOT**:
  - a) Plaintiffs' Motion for Expedited Collective Action Notification [doc. no. 102];<sup>1</sup> and,
  - b) Plaintiffs' Motion for Expedited Hearing on Plaintiffs' Motion for Expedited Notice to Affected Employees [doc. no. 105]; and,
  - c) Plaintiffs' Motion to Stay Non-FLSA claims [doc. no. 136]; and
  - d) Defendants' Motion to Quash Plaintiffs' Third-Party Subpoenas [doc. no. 94].
- 3) The Plaintiffs' request for leave to amend is **GRANTED**. The plaintiffs have thirty days to file a second amended complaint

It is so **ORDERED**.

**BY THE COURT:**

/s/ Cynthia M. Rufe

---

**CYNTHIA M. RUFÉ, J.**

---

<sup>1</sup>This motion was improperly docketed as a "Motion to Certify."